

### **REMARKS**

This amendment responds to the Office Action dated May 16, 2005.

The Examiner indicated that claims 9 and 10 would be allowable if rewritten in independent form. Each of claims 9 and 10 has been rewritten independently as new claims 11 and 12, respectively. Each of these new claims should therefore be allowable.

The Examiner objected to claim 14 due to the lack of antecedent basis for the terms "second dot" and "third dot." Claim 4 has been amended to provide an antecedent basis for each of these terms.

The Examiner rejected claims 1-8 under 35 U.S.C. § 102(e) as being anticipated by Hubina et al., U.S. Patent No. 6,876,384 (hereinafter Hubina). Hubina, which discloses a method of calculating the white balance for an image captured by a CMOS sensor, CCD, or other digital capture device, is unrelated to the present application, which discusses methods for rendering images on display devices, such as paper, computer monitors, etc. In particular, Hubina does not disclose a method of *rendering* anything. Rather, Hubina discloses that a continuous tone color image may be captured on a sensor covered by a filter having a Bayer pattern of alternating Red/Green or Green/Blue filters in successive horizontal rows. The purpose of such a filter is to allow each underlying light-sensitive sensor, which only records luminance, to record one of the three primary colors. An algorithm is applied using neighboring color information to infer the color level at each pixel of each of the three primary colors, thereby generating a continuous tone, color image. Thus the Bayer pattern shown in FIG. 2A of Hubina cannot be considered a "method of rendering a halftone cell" as stated by the Examiner because the filter and underlying sensor does not "render" an image but merely captures an image. Also, the image is captured at a continuous tone rather than a half tone. Furthermore, the disclosure by Hubina of a method of calculating the white balance shown in FIGS. 5-8 of that reference are purely numerical calculations to arrive at a white balance value stored with the image to be used when ultimately rendered. Hubina, however, is silent on which methods might be used to render the image captured by the sensor with the modified white balance.

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To the extent that the Examiner believes that the term "rendering" is broad enough to read on a process of electronically capturing and storing a digital image, absent any display of the image, each of independent claims 1, 4, and 6 have been amended to recite the terms "rendering a visually perceptible . . . pixel" (claims 1 and 6) or rendering a visually perceptible . . . dot" (claim 4). Because the image captured, stored, and modified by Hubina is purely digital during such capture/store/modification processes, the pixels or dots of the image are not visually perceptible during such processes. Furthermore, the applicant notes that the image captured stored and processed by Hubina is at all times a continuous tone image. For each of these reasons, claims 1-10 are each patentably distinguishable over Hubina and should be allowable.

In view of the foregoing amendments and remarks, the applicant respectfully requests reconsideration and allowance of claims 1-12.

Respectfully submitted,



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#### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: October 17, 2005



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